

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GLASS EGG DIGITAL MEDIA,
Plaintiff,
v.
GAMELOFT, INC., et al.,
Defendants.

Case No. [17-cv-04165-MMC](#)

**ORDER GRANTING IN PART AND
DEFERRING RULING IN PART ON
DEFENDANTS' MOTION TO DISMISS**

Re: Dkt. No. 63

Before the Court is defendants Gameloft SE, Gameloft Iberica S.A.U., and Vivendi SA's (collectively, "Foreign Defendants") "Motion to Dismiss Complaint for Lack of Personal Jurisdiction (Fed. R. Civ. P. 12(b)(2))," filed January 5, 2018. Plaintiff Glass Egg Digital Media ("Glass Egg") has filed opposition, to which the Foreign Defendants have replied. The matter came on regularly for hearing on February 9, 2018. Eliot R. Hudson, Gina L. Durham, and Mandy Chan of DLA Piper LLP appeared on behalf of defendants. Q. Huy Do of KyZen Law appeared on behalf of plaintiff.

Having considered the parties' respective written submissions and the arguments of counsel at the hearing, the Court, for the reasons stated on the record at the hearing, rules as follows:


1. Glass Egg has failed to make a prima facie showing that Gameloft SE's own contacts with California are sufficient to establish specific jurisdiction over Gameloft SE. The Court will, however, afford Glass Egg leave to conduct jurisdictional discovery in accordance with the schedule set forth on the record at the hearing; accordingly, to the extent Glass Egg seeks to base specific jurisdiction over Gameloft SE based on Gameloft SE's own contacts with California, the Court hereby DEFERS ruling on the motion

1 pending jurisdictional discovery pertaining to (a) the size of Gameloft SE's business in
2 California and (b) the identity of the Gameloft entity/entities that operate(s) the website
3 accessible to website users within California.

4 2. To the extent Glass Egg seeks to base jurisdiction over the Foreign Defendants
5 on a theory that said defendants are vicariously subject to specific jurisdiction, the
6 motion, for the reasons stated on the record at the hearing, is hereby GRANTED.

7
8 **IT IS SO ORDERED.**

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10 Dated: February 12, 2018


MAXINE M. CHESNEY
United States District Judge